

BOARD MEETING MINUTES

**SEPTEMBER 7, 2000
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
DOUBLETREE HOTEL
BURLINGAME, CALIFORNIA**

Thursday, September 7, 2000

Board Members Present: Kathy Hoffman (President), Vince DiTomaso (Vice-President), Gregg Brandow, James Foley, Andrew Hopwood, Stephen Lazarian, Marilyn Lyon, Myrna Powell, Millicant Safran, and Quang Vu.

Board Members Absent: David Chen

Board Staff Present: Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Susan Ruff (Deputy Attorney General), Nancy Eissler (Attorney General Liaison Analyst), David Brown (Special Assistant to the Executive Officer), Janeece Sargis (Examination Analyst), Jacqueline Barclay (Executive Analyst), Debbie Thompson (Budget Analyst)

Public Present: SEE ATTACHED

President Hoffman requested that certain items be taken out of order.

1. Roll Call to Establish a Quorum
The meeting was called to order by President Hoffman at 8:40 a.m. Roll call was taken and a quorum was established.
2. Public Comment
President Hoffman asked for public comment.

No public comment

5. Approval of Consent Items

MOTION: Mr. Hopwood/Ms. Powell moved to approve the minutes of the July 27, 2000 Board Meeting with the following change:

Page 18 of the Agenda, Minutes of the July 28, 2000 Board Meeting, Item 15 Committee Reports, item b, Examinations/Qualifications, Second paragraph, last sentence should read:

Mr. Foley and Ms. Powell as the Board liaisons to the LS TAC will review staff findings regarding this research.

VOTE: 9-0, motion carried

Item b, of the Approval of Consent Items, will be discussed later in the Board Meeting, after the Board has met in Closed Session.

8. Approval of Delinquent Reinstatements

MOTION: Mr. Foley/Mr. Hopwood moved to approval the Delinquent Reinstatement as follows:

Civil

1. Charles William Clark
Reinstate applicant's civil license once he takes and passes the Board Laws and Rules Examination and pays all requirement delinquent renewal fees.
2. Syed M. Hasanain
Reinstate applicant's civil license once he takes and passes the California Seismic Principles and Engineering Surveying and Board Laws and Rules examinations and pays all required delinquent renewal fees.

Structural

1. Syed M. Hasanain
Reinstate applicant's structural license once his civil license is reinstated and he pays all required delinquent renewal fees.

Mechanical

1. Douglas Hutton May
Reinstate applicant's mechanical license once he takes and passes the Board Laws and Rules examination.

Electrical

1. Herman Theriault
Reinstate the applicant's electrical license once he takes and passes the Board Laws and Rules examination.

VOTE: 9-0, motion carried

Ms. Christenson reported that the Enforcement Unit is currently investigating 13 individuals regarding potential violations while their licenses were delinquent.

President Hoffman requested that the number of enforcement cases opened as a result of the delinquents be included in the Enforcement Unit statistics.

Ms. Eissler explained that once the Board issues a license, the Board has jurisdiction of that license, even if the license is delinquent. The Board can still take action. She further stated that the reinstatement process is processed independent of any enforcement action that may be taken on the license. If the licensee meets the requirements for reinstatement the Board must reinstate the license.

9. Comity and Temporary Authorization Applications

MOTION: Mr. Vu/Mr. Hopwood moved to approve the following applicants for comity. (list provided as a handout)

1. Kevin M. Lichfuss
2. James A. Matthies
3. Shamseddin Shadid-Saless

VOTE: 9-0, motion carried

MOTION: Mr. Hopwood/Ms. Safran moved to approve the comity applicants shown on page 33 of the Board agenda.

VOTE: 9-0, motion carried

11. Land Surveyor Request for Proposal (RFP) Evaluation Committee Nominations

Ms. Thompspon reported that she is still waiting on waivers. She also reported that the RFP would be approved near the last week of October or the first week of November 2000.

13. Technical Advisory Committee Reports

- a. Land Surveying
No meeting
- b. Civil/Geotechnical Engineering
Mr. Foley reported that he has met with staff from PG & E and others utilities to discuss issues related to “public right-of-way” and fiberoptic cables. Mr. Foley stated that other meetings would be established in the near future.
- c. Mechanical Engineering
 - 1. Mr. Vu reported on the August 28, 2000 meeting.

MOTION: Mr. Vu/Mr. Hopwood moved to approve the following individuals to serve as members to the Mechanical Engineering Technical Advisory Committee for a two-year term beginning on July 1, 2000.

- 1. Mr. Taghi Alereza, P.E.
- 2. Mr. Ira Silverman, P.E.
- 3. Mr. Daniel Strauss, P.E.

VOTE: 9-0. Motion carried

Mr. Vu reported that the next ME TAC meeting is scheduled for November 3, 2000.

- d. Electrical Engineering
Mr. DiTomaso reported that the next EE TAC meeting is scheduled for September 14, 2000. Mr. DiTomaso reported the TAC would be planning more frequent meetings for the next fiscal year.
- e. Structural Engineering
Dr. Brandow reported that the next SE TAC meeting is scheduled for September 13, 2000.

Mr. Lazarian arrived at 9:45 a.m.

14. Liaison Reports

- a. ABET
Ms. Christenson reported that the Board has received three requests from colleges to observe the ABET accreditation,

UC Riverside, CSU Fresno, and UCLA. Ms. Powell has volunteered to observe at UC Riverside. Ms. Christenson stated that she would keep Board Members informed of dates for accreditation.

Dr. Brandow asked if ABET has a process that they use to verify foreign degrees.

Ms. Christenson reported that some states use this service of ABET. She stated that Idaho sends foreign transcripts to ABET and ABET determines if the degree is equivalent to an ABET degree. She explained that our Board allows non-ABET-accredited schools; however, more experience is required of these applicants. In order for our Board to accept a foreign degree, approved by ABET as equivalent to an ABET accredited degree, we would need a regulatory change to our requirements. Ms. Christenson suggested that this issue could be further discussed at the next Examinations/Qualifications Committee meeting.

b. NCEES

1. Annual Meeting

Ms. Christenson reported on the NCEES Annual Meeting at which former California Board member Ted Fairfield was elected President-Elect of NCEES.

Ms. Christenson reported that there were several major issues discussed at the meeting. They are as follows:

Mobility & the Model Law Engineer
Computer Based Testing
Digital Signatures
Professional Surveyor v. Professional Land Surveyor

Ms. Christenson reported that changes to the Constitution and By-laws, which was a controversial issue last year, met with little resistance. The only changes that were not approved were those sections where it was recommended that the Executive Director be a non-voting member of the Board of Directors.

Ms. Christenson reported that finances of NCEES have stabilized due to an increase in examinations administered last year and a fee increase. In addition, foreign travel has decreased significantly from years past.

- c. Technical and Professional Societies
No report.

15. President's Report

President Hoffman reported that staff has completed the pocket identification cards for Professional Engineers and Professional Land Surveyors. Pocket identification cards will soon be mailed to newly licensed and renewing professional engineers and land surveyors.

President Hoffman announced the arrival of guests at the meeting, Senator Liz Figueroa, Bill Gage, Sen. Figueroa's consultant, and Lynn Morris, Department of Consumer Affairs, Board Relations.

10. Contingency Savings Plan for Fiscal Years 2000/01 to 2000/02 and Proposed Renewal Fee Increase

Sen. Figueroa and Mr. Gage reported on the status of Joint Legislative Sunset Review Committee and the Board's sunset issues.

President Hoffman reported on the history of the deficit situation facing the Board, including the effect of the cost of examinations and peak years with respect to renewal of licenses.

Sen. Figueroa stated that it is important that the licensees understand what the Board is doing with the funds received from them, especially with regards to the enforcement program. She stated that it is important that the Board have a program in place so we can educate the licensees as to why the fee increase is needed.

President Hoffman requested that Sen. Figueroa discuss what will happen over the course of the next year in terms of milestones with the Sunset Review.

Mr. Gage stated that the study of the "title acts" would take place the following year. He also stated that we have to make the case next year for the fee increase.

Sen. Figueroa stated there would be two new Assembly Members appointed to the JLSRC. Sen. Figueroa suggested that we introduce ourselves to them or their staff as soon as they are appointed to the JLSRC and that we explain the history of the Board and its position on the remaining sunset issues.

6. Hearing on the Petition for Reinstatement of Revoked License of Henry Cardona, OAH #N2000080251
A hearing on the Petition for Reinstatement as submitted by Henry Cardona was held.

Mr. Vu left at 12:30 p.m.

3. & 7. Closed Session

The Board went into closed session.

4. Open Session to Announce the Results of Closed Session
The Board discussed pending litigation as noticed.

The Board adopted the Proposed Decision regarding John Harvey Hansen pursuant to Government Code section 111517(c)(2)(C) with a minor technical change to Factual Finding #3.

The Board approved examination results.

The Board discussed personnel matters.

12. Strategic Plan

MOTION: President Hoffman/Mr. Lazarian moved to approve developing a Strategic Plan using a consultant of the Department of Consumer Affairs.

VOTE: 9-0, motion carried

5. Approval of Consent Items

- b. Approval of Candidates for Certification/Licensure(based on Examination Results, Including Successful Appeals, Adopted in Closed Session

MOTION: Ms. Powell/Mr. Hopwood moved to approve the candidates for licensure who previously passed the Civil examination and recently submitted their take home examinations and passed.

VOTE: 9-0, motion carried

16. Executive Officer's Report
Ms. Christenson reported on the executive summary report and college outreach. She also reported on office hires and vacancies and provided a handout of the legislative update.
17. Approval of Board Travel
None
18. Other Items Not Requiring Board Action
 - a. Next Board Meeting October 19 & 20, 2000 - Radisson Hotel, San Diego
19. Adjourn
The Board adjourned at 3:00 p.m.

PUBLIC PRESENT

1. Tony Spillane CLSA
2. Lionel J. Sudds PECG